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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,455	10/31/2000	Eric Morgan Dowling	EMP-Multi001CIP1	1166

7590
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EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/702,455

Applicant(s)

DOWLING, ERIC MORGAN

Examiner

Ba Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims 1-9, 12-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,304,864 (Liddy et al), in view of US patent #6,334,145 (Adams et al).

- As for claims 1, 6, 9, 19, 21: Liddy et al teach a client-side multilevel search browser plug-in module (5:49 - 59) comprising an application layer interface coupled to a protocol stack (inherently included in the teaching of Internet browser) for receiving a portion of a web page, a browser 20 for interacting with a user and for identifying a target document, a multilevel search engine 22 coupled to receive a user input search parameter defining the content of the search (9:13-24), the multilevel search engine 22 operative to specify a remote agent which comprises portable executable program codes for conducting multilevel browser operation, comparing the content of a markup document to the input search string, whereby the executable program codes are transmitted to a network server to execute on the network server external from the browser (9:49 - 10:65). Although Liddy explicitly teach that the system is capable of searching through multiple of link level (10:32-38), however fail to suggest an user interface for receiving user input parameter defining the number of link level to be searched. In the same field of multilevel searching in Internet browser, Adams et al teach the multilevel search control interface for the user to specify a search level (figure 7). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Adams' teaching of the multilevel search control interface to Liddy's teaching of multilevel

searching for the user to specify a search level. Motivation of the combining is for the user to control the amount of information retrieved. Accordingly a set of documents that are linked via one or more levels can be retrieved. Each of the retrieved documents has an address within a specific domain (see Adams' figures 10, 11) and can be reached from the target document via a sequence of hyperlinks.

- As for claims 2, 3: The browser interface includes a window display providing an interactive menu to the user (figures 3A,B).
- As for claims 4, 8: Per Adams, a folder is created to store URL addresses of the identified links. The combined teaching fails to teach the automatic downloading of the identified links (files). However Official notice is taken that downloading the identified files would have been obvious to one of skill in the art. Motivation of the combining is for automatically presenting the identified files to the user, thus saving interaction time.
- As for claim 5: Per Adams, a folder is created to store URL addresses of the identified links. The combined teaching fails to teach the creating a sitemap representing the link structure of the identified links. However Official notice is taken that implementation of creating the sitemap is well known in the art of information retrieval. The implementation would have been obvious to one of skill in the art for the purpose of providing a visual representation indicating the hierarchy of the links, and for navigation purpose.
- As for claim 7, 20: The browser is capable to search for all files based on user input parameters. The files include files with extension “.ppt”.

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- As for claim 12: The content-based search string includes a Boolean keyword expression (10:14-18).
- As for claim 13: Wireless access to Internet from a mobile workstation is well known in the art and within Liddy's teaching of Internet connection (see patent application 08/696,702, now US patent 6,026,388, Liddy's incorporation by reference, 6:10-14). Since the search agent is trained by a neuron network, it is inherently included in Liddy that the search parameter may be depended on the positioning of the computer.
- As for claims 14, 15: The search agent searches for data that may be compared against a query for a match, repeat the search by accessing a next hyperlink (9:49 – 10:65).
- As for claim 16: In light of the combining, the parameter comprises Boolean keyword expression (10:14-18) and a search level (Adams' figure 7). The indication to continue the search on a designate next linked page is inherently included in Liddy's teaching of multilevel search (10:27-65).
- As for claims 17, 18: It is inherently included in Internet searching that the hyperlink points to a metadata description of a web resource described in resource description framework for accessing the file containing metadata relating to the resource.

Response to Arguments

2. Applicant's arguments have been considered but are not deemed persuasive.

REMARKS:

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on

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combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Adams teaches the link level parameter for retrieving a set of linked documents within the level of links defined by the user.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794. The examiner can normally be reached on Mon - Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
4/13/05



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PRIMARY EXAMINER